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Appl. No. : 09/855,340
Patent No. : 7,220,567
Applicant : Hosted et al.
Filed : May 15, 2001
TC/AU : 1636
Examiner : Walter Schlapkohl
Docket No. : IN01164K US
Confirm No.: 9296

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450
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**REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT (PTA)
UNDER 37 C.F.R. § 1.705(d)**

Sir:

The applicants herein request that the Patent Office reconsider the 1097 day patent term adjustment shown on the face of the above-referenced patent. The correct adjustment term should be **924** days. The applicants also request correction of the adjustment period on the patent.

The present request, being filed within two months of the May 22, 2007 issue date of the patent, is timely. 37 C.F.R. § 1.705(d). Moreover, these issues could not have been raised under 37 C.F.R. § 1.705(b), before payment of the issue fee, so dismissal of this request would not be appropriate.

The Office is authorized to charge deposit account no. 19-0365 the required fee under 37 C.F.R. § 1.18(e).

As stated above, the correct patent term adjustment is 924 days. 37 C.F.R. § 1.705(b)(2)(i).

The relevant facts substantiating the present request for reconsideration are as follows. 37 C.F.R. § 1.705(b)(2)(ii). The applicants are entitled to 1102 days in "actual delay" in issuing the present patent within 3 years of filing, less the total number of debit days (due to applicant delays), 178 days. Entitlement to the 1102 days of actual delay is provided for under 37 C.F.R. §§ 1.703(f), 702(b) and 703(b). Furthermore, as is established in the petition under 37 C.F.R. § 1.705(b), filed on March 7, 2007 in the present case, the number of debit days is 178. 37 C.F.R. § 1.705(b)(2)(iv)(A).

So, 1102 days - 178 days = 924 days.

The present application is not subject to a terminal disclaimer. 37 C.F.R. § 1.705(b)(2)(iii).

Early and favorable action is earnestly solicited.

Respectfully submitted,

Date: Jun 25, 2007



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